NOAM 2-0819

cpy to MacIver

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

IN REPLY TO THE FOLLOWING AND THE FILING DATE:

1. SER NO.	2. MARK	3. PAPER NO.
330932	DONKEY KONG, PLUS DESIGN	

5. APPLICANT	ADDRESS	8. MAILING DATE
NINTENDO OF AMERICA, INC.	COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON D. C. 20231 AND FURNISH YOUR ZIP CODE AND TELEPHONE NUMBER IN ALL CORRESPONDENCE	APR 26 1982

6. ADDRESS

LARRY A. JACKSON
CHRISTENSEN, O'CONNOR, JOHNSON & KINDNESS
2000 4TH & BLANCHARD BLDG., 2121 4TH AVE.
SEATTLE, WASHINGTON 98121

FORM PTO 36-33 (REV. 12-76) (FORMERLY PTO-1293) U.S. DEPT. OF COMM. Pat & TM Office

The address of all correspondence not containing fee payments should include the words, "Box 5". The response should indicate the mailing date of this action and the Attorney/Examiner's division number.

After review of the above identified application for trademark and/or service mark registration, applicant is advised as follows:

The present identification of goods is indefinite for purposes of registration. The following identification is suggested and should be adopted, if accurate: Electronic coin operated video game using a video display.

Although applicant has included the date of first use of the mark in commerce, the date of first use of the mark anywhere has been omitted from the application. Amendment, supported by an affidavit or by a declaration in accordance with Trademark Rule 2.20, must be submitted. Trademark Rules 2.33(a)(1)(vii) and 2.33(a)(1)(viii); Trademark Rule 2.71(a); and TMEP Section 806.01.

A search of the Office records fails to show that the mark, when applied to applicant's goods and/or services, so resembles any registered mark as to be likely to cause confusion, or to cause mistake, or to deceive. TMEP Section 1105.01.

BAS:ds

Barry A. Solomon
Trademark Attorney
Law Office III, (703) 557-9560

RECEIVED
MAY 5 1982

A proper response to THIS OFFICE action must be received within 6 months from the date of this action in order to avoid ABANDONMENT.

FTOL-56 (REV. 10/78)

2- Applicant's Copy